

**In the Claims:**

Please cancel claims 1-36 and 39-54 without prejudice to the inclusion of the subject matter contained therein in any later filed continuation and/or divisional application(s). Claims 37-38, 55-68, 71-96 and 109-111 have been previously canceled.

1-36. (Canceled)

37-38. (Canceled)

39-54. (Canceled)

55-68. (Canceled)

69. (Previously Presented) An implantable container containing an isolated bone marrow stromal cell which comprises a first expressible gene construct encoding a protein, and a second expressible gene construct encoding a cytotoxic protein, which cytotoxic protein induces selective cell death in the presence of a drug specific for said cytotoxic protein, wherein said first and second expressible gene is under the control of a different promoter, further wherein the container physically isolates the stromal cell from immune cells of an animal when the container is implanted in the animal, and wherein the container has pores for permitting diffusion between the interior and the exterior of the container.

70. (Previously Presented) The container of claim 69, wherein the first gene construct encodes a secreted protein.

71-96. (Canceled)

97. (Previously Presented) The container of claim 69, wherein the container is a microencapsulate stromal cell.

98. (Previously Presented) The container of claim 69, wherein the container is a biocompatible matrix having the stromal cells incorporated therein.

99. (Previously Presented) The container of claim 69, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.3 micrometers.

100. (Previously Presented) The container of claim 99, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.25 micrometers.

101. (Previously Presented) The container of claim 99, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.1 micrometers.

102. (Previously Presented) The container of claim 69, wherein the stromal cell comprises a third expressible gene construct encoding a protein.

103. (Previously Presented) The container of claim 102, wherein the third expressible gene construct encodes an antibiotic resistance protein.

104. (Previously Presented) The container of claim 102, wherein the first expressible gene construct and the third expressible gene construct are the same gene construct.

105. (Previously Presented) The container of claim 69, wherein the stromal cell is a human stromal cell.

106. (Previously Presented) The container of claim 69, wherein the stromal cell is obtained from bone marrow.

107. (Previously Presented) The container of claim 69, containing at least  $10^4$  of the stromal cells.

108. (Previously Presented) The container of claim 69, containing from  $10^4$  to  $10^{11}$  of the stromal cells.

109-111. (Canceled)

112. (Previously Presented) A method of providing a protein to an animal, the method comprising implanting within the animal a container containing an isolated marrow stromal cell which comprises a first expressible gene construct encoding a protein, and a second expressible gene construct encoding a cytotoxic protein, which cytotoxic protein induces selective cell death in the presence of a drug specific for said cytotoxic protein, wherein said first and second expressible gene is under the control of a different promoter, further wherein the container physically isolates the stromal cell from immune cells of the animal, and wherein the container has pores for permitting diffusion between the interior and the exterior of the container.

113. (Previously Presented) The method of claim 112, wherein said protein is a secreted protein.